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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,239	02/18/2004	William Douglas Cress JR.	1372.133.PRC	2238

21901 7590 07/24/2006

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EXAMINER

VIVLEMORE, TRACY ANN

ART UNIT	PAPER NUMBER
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1635

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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101 708 239

EXAMINER

ART UNIT

PAPER

20060711

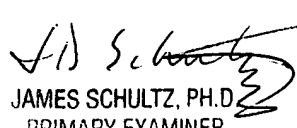
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Commissioner for Patents

The reply filed on May 17, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant's arguments regarding the propriety of the previous notice of non-responsive amendment are not persuasive. Applicant has argued that the remaining claims are readable on claim 1, which is broader than claim 3, relying on a statement from the written description rejection to support the assertion that the new claims fall within the scope of claim 1. However, as stated in the previous notice, claims directed to up-regulation E2F1 would have been properly restrictable from those directed to down-regulation of E2F1. The disclosure and examples of the specification contemplate only downregulation of E2F1 and examination has been directed to these specific embodiments. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


JAMES SCHULTZ, PH.D.
PRIMARY EXAMINERTV
July 11, 2006